

Image

AF  
1775

Docket No: 19789-8

**PATENT**

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Feb. 19, 2004.

Bonnie S. Meru

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: van Ooij et al.

Paper No.:

Serial No.: 09/356,926

Group Art Unit: 1775

Filed: July 19, 1999

Examiner: M. La Villa

For: SILANE COATINGS FOR METAL

**Interview Summary**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

On January 20, 2004, Examiner Michael La Villa conducted an Examiner initiated telephonic interview with the undersigned Applicant's representative, Mr. Geoffrey Oberhaus. The Examiner and Applicant's representative discussed the patentability of claims 1 and 40. In regards to claim 40, the Examiner and Applicant's representative discussed support in the specification for overcoming the section 112, first paragraph rejection of claim 40. The Applicant directed the Examiner's attention to pages 17 and 18 of the specification showing support for the claimed ratio of 9:1. The Examiner noted that claim 40 recites "at least about 9" which the Examiner asserted includes ratios above 9:1 and that no support for any ratio above 9:1 could be found in the specification. In addition, the Examiner noted that the example on page 17 refers only to one pair of vinyl silane and bis-silyl aminosilane compounds. The Examiner asserted that there was no support for the broader teaching of claim 40. No agreement was reached on this rejection.

The Examiner and Applicant's representative then discussed the declaration by inventor van Ooij in conjunction with the section 103 rejection over Brown et al. The Examiner and Applicant discussed the three experiments conducted under the inventor's direction and detailed in the inventor's declaration. The Examiner noted that experiment two showed comparable results to the systems of Brown et al. and that experiment three was not within the claimed ratio range and therefore not within the scope of the claimed invention. The Examiner asserted that the evidence in the declaration does not appear to prove unexpected results for the breadth of the claimed invention as presently claimed. No agreement was reached on this rejection

It is believed that this summary completes the Applicant's duty under to provide a summary of the telephonic interview between the Examiner and Applicant's representative conducted on January 20, 2004.

Respectfully submitted,

By   
Geoffrey L. Oberhaus  
Registration No. 42,955  
Attorneys for Applicant  
DINSMORE & SHOHL LLP  
1900 Chemed Center  
255 East Fifth Street  
Cincinnati, OH 45202  
(513) 977-8623

988985.01